

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Objections to the specification

The specification is presently objected to for certain informalities. In particular, the Examiner states that the abstract is objected to because the term “apparata” is incorrect. The abstract is amended to describe a direction control means for *apparatuses* for cleaning submerged areas. In view of the amended abstract, withdrawal of the objection is requested.

Claim objections

Claims 7-9 are objected to for certain informalities. In particular, the Examiner notes that claims 7, 8, and 9 depend from cancelled claims. Claims 7, 8, and 9 are amended to correct their dependencies. In view of the amendment, withdrawal of the objection is requested.

Rejection of claims 6-9 under 35 U.S.C. § 112, first paragraph

Claims 6-9 presently stand rejected as failing to comply with the written description requirement. In particular, the Examiner states that, in claim 6 line 9, the recitation that the first extension terminates in a spigot constitutes new matter not supported by the original disclosure. The Examiner further states that, in claim 6 line 14, the recitation that the second extension terminates in a socket constitutes new matter not supported by the original disclosure.

Applicant notes that, at lines 12-15 of page 4, the original specification clearly describes that “as illustrated extension (19) is formed as a socket to engage over the outlet of the swimming pool cleaner and extension (11) as a spigot to connect into the end of a suction hose.” Claim 6 is amended to correspond to this portion of the original

specification, wherein one extension is formed as a socket to engage over the outlet of the cleaner, and another extension is formed as a spigot.

In view of this amendment, withdrawal of the rejection is respectfully requested.

Rejection of claims 6-9 under 35 U.S.C. § 103(a)

Claims 6-9 presently stand rejected as being unpatentable over Durigon (EP 0 745 744) in view of Chien et al. (U.S. 2004/0046386) and further in view of Sulzyc et al. (U.S. 5,551,734). This rejection is respectfully traversed for at least the following reasons.

It is respectfully submitted that the cited references fail to disclose or suggest each and every element set forth in the present claims, and therefore these references fail to form a prima facie case of obviousness of any of claims 6-9.

As an initial observation, while the Examiner asserts that Durigon discloses an elbow joint (154) terminating in an inlet end (156), and that the inlet end (156) defines a peripheral groove, Applicant notes that Durigon's specification makes no reference at all to any peripheral groove. Further, while the Examiner asserts that a first extension (218) is fitted to the inlet end (156) of the elbow joint, Applicant respectfully submits that Durigon's element (218) is not an extension which terminates in a protruding socket to engage an outlet of a cleaning apparatus, but is in fact the outlet of the cleaning apparatus. Applicant refers the Examiner to Durigon's specification at lines 50-52 of column 6, which clearly states that "Figure 18 shows an angled swivel connector 154 which has a first end which can clip rotatably to the *outlet 18/218 of the cleaner*." Durigon provides no teaching or suggestion of any extension which has a cuff fitted over the inlet end of an elbow joint *and* a protruding socket to engage an outlet of a cleaning apparatus. As noted above, element (218) is not an extension as claimed, but is the outlet of the cleaning apparatus.

Applicant notes that, according to Durigon, "in Figures 3 and 4, parts which are equivalent to those of the embodiment of Figures 1 and 2 are given the same reference numerals, with a prefix of "2"." (Durigon; col. 5, lines 22-24). Durigon states that "at

the other end of the body is an outlet 18 which is fitted with a rotating hose connector 20 which receives a conventional flexible hose to allow the cleaner to be connected to a pool filter return inlet or another source of suction.” (Durrigon; col. 3, lines 43-47). Thus, Durrigon’s element (218) is clearly an outlet of the cleaner, and not an extension as claimed.

Now comparing Durrigon’s Fig. 4 and Fig. 18, it can be recognized that the first end (156) of the angled swivel connector (154) replaces the hose connector (20) to directly couple to the outlet (218) of the cleaner, without any first extension interposed between an elbow joint and an outlet of the cleaning apparatus.

Moreover, Applicant respectfully submits that the outlet (218) lacks any rib as set forth in claim 6.

Further, claim 6 as amended recites first and second extensions each comprising a cuff, fitted over the inlet end of the elbow joint and an outlet end of the elbow joint, respectively. Such an arrangement is not shown by the cited references.

Applicant respectfully submits that a significant difference between the presently claimed invention and the cleaning apparatus of Durrigon is that, while the presently claimed invention is directed to a directional control means, Durrigon’s angled swivel connector 154 does not define a directional control means.

As stated in Durrigon, the main purpose of the connector 154 (and in particular the swivel joint 158) is to prevent “wind-up” of a hose attached to the cleaner. This is clearly set out at lines 50-54 of column 6 of Durrigon’s specification.

In contrast, as indicated at page 4 of the present application, “the elbow joint will provide free swiveling action between the pool cleaner and the suction hose.” Further, “the swivel connections provide 360° of relative rotation with respect to the pool cleaner body,” which “in turn ensures that the pool cleaner will move at an ever-changing angle to the flexible hose and thus achieve a completely random pattern.”

That is, the particular configuration of the first and second extensions fitted to each end of an elbow joint in the present invention controls the direction of the cleaning apparatus, as opposed to merely preventing “winding up” of the hose.

Not only does Durrigon fail to disclose or suggest the combination of an elbow joint, and first and second extensions as claimed, it is respectfully submitted that Chien and Sulzyc each fail to disclose or suggest these features and fail to supplement the deficiencies of Durrigon.

Chien does not disclose or suggest the extensions as claimed. As an initial observation, Chien does not disclose or suggest an extension comprising a cuff, the cuff having a peripheral rib that can engage a peripheral groove of an elbow joint in a snap fit. On the contrary, Chien discloses a joining screw nut 10 and a connecting joint 30 which have an internal groove which latches with a mating groove at an end of the connecting body 20, wherein a “fixing coil” (12, 32) is interposed between the joining screw nut 10 (or the connecting joint 30) and an end of the connecting body 20, wherein the fixing coil engages with the each of the grooves. This arrangement is clearly different from the cooperating groove and rib of the presently claimed invention, in that an additional element (the fixing coil) is required resulting in a more complex assembly.

Further, neither the joining screw nut 10 nor the connecting joint 30 can be construed to include both a cuff (fitted over an end of the elbow joint) and a protruding socket or spigot as set forth in claim 6.

Moreover, it is respectfully submitted that Chien does not disclose or suggest that the joining screw nut 10 or the connecting joint 30 may be fitted to an end of the connecting body by a “snap fit.” On the contrary, Chien teaches that “In practice, the joining screw nut 10 is engaged to be connected and the fixing coil 12 is inserted into the annular recess 23 on the joining body 20 via the radial hole 13 of the joining screw nut 10.” (Chien; [0017]). That is, rather than a snap fit, the joining screw nut 10 is fixed to the joining body 20 by insertion of the fixing coil. Chien provides no teaching or suggestion

that, by this method of joining the parts, either the joining screw nut 10 or the connecting joint 30 may be “snap fit” onto or off of the joining body 20.

Sulzyc does not disclose or suggest the extensions as claimed. As an initial observation, Sulzyc does not disclose or suggest an extension comprising a cuff, the cuff having a peripheral rib that can engage a peripheral groove of an elbow joint in a snap fit and a protruding socket or spigot as set forth in claim 6.

Sulzyc discloses a plastic housing 1 of a valve, which includes a plastic sleeve 3 into which a threaded plug is inserted. However, the plastic sleeve 3 of a housing 1 cannot be construed as one of the claimed extensions, since the plastic sleeve 3 of the housing does not include both a cuff, fitted over the inlet end of an elbow joint, and a protruding socket to engage an outlet of a cleaning apparatus or a protruding spigot to receive a hose. On the contrary, plastic sleeve 3 simply extends from a valve housing.

For at least these reasons, it is respectfully submitted that the cited references fail to form a prima facie case of obviousness of any of claims 6-9. Accordingly, it is respectfully submitted that claims 6-9 are allowable over the cited references, and withdrawal of the rejection is requested.

Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 6-9 be allowed and the application be passed to issue.

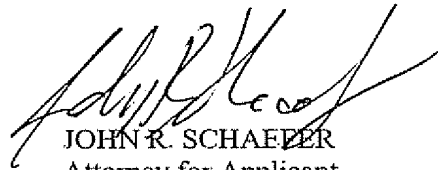
Response to Office Action of May 22, 2008
Application No.: 10/539,059
Examiner: James M. Hewitt
Art Unit: 3679

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Schaeffer", is written over the printed name and title.

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